
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

**FRANCISCO RODRIGUEZ,
INDIVIDUALLY AND ON
BEHALF OF OTHERS
SIMILARLY SITUATED,**

Plaintiff,

v.

CASCADE COLLECTIONS, LLC

Defendant.

Case No. 2:20-cv-00120-JNP-DBP

CLASS CERTIFICATION ORDER

District Judge: Jill N. Parrish

Magistrate Judge: Dustin B. Pead

The Court has read and considered Plaintiff's Motion for Class Certification and the record.

NOW, THEREFORE IT IS HEREBY ORDERED:

1. JURISDICTION: The Court has jurisdiction over the subject matter of the Lawsuit and over all settling parties hereto.

2. CLASS CERTIFICATION: The Court finds that all of the requirements of Rule 23(a) and the requirements of Rules 23(b)(2) and Rule 23(b)(3) have been met. Therefore the Court certifies a hybrid class as follows:

All persons with addresses within Utah; who were sent any communication which was similar or identical to Plaintiff's Exhibit A on behalf of Astor Brothers & Co.; to recover a consumer debt; which were not returned undelivered by the United States Postal Service; from February 21, 2019 until February 21, 2020; in which the communication provided the following language: "If you dispute the validity of this debt or any part of it, you must notify us either by writing to Cascade Collections, LLC, P.O. Box 970547, Orem, UT 84097, or by calling toll-free 855-978-7184 or locally (801) 900-3328 within thirty (30) days of the date of this letter; otherwise we will consider this debt to be valid and proceed accordingly...Please pay the Amount Due. We would like to collect the Amount Due in an efficient and convenient way. If you are able to pay the Amount Due in full at once please do so. On the other hand, if you are unable to pay the amount in full at once, we are able to set up a payment plan so that the Amount Due is paid gradually over time. Please note that the Amount Due is the balance as of the date listed above and may or may not include interest, accruing interest, costs, or other fees. Please contact this office to determine how the Amount Due is calculated and to determine the balance."

3. NOTICE AND CLAIMS PROCESS: The Court orders the Plaintiff to submit a proposal for the class administration process by which the form and method for notifying the Class Members of the settlement and its terms and conditions satisfies the requirements of Fed. R. Civ. P. 23(c)(2)(B) and due process, and constitutes the best notice practicable under the circumstances.
4. CLASS COUNSEL: The Court certifies Francisco Rodriguez as the Class Representative. David J. McGlothlin and Ryan L. McBride of Kazerouni Law Group, APC have extensive experience as counsel in class and FDCPA

matters. Additionally, there are no known conflicts between Kazerouni Law Group, APC and the class. Therefore David J. McGlothlin and Ryan L. McBride are appointed as Class Counsel in this matter.

5. The Court retains continuing and exclusive jurisdiction over the action to consider all further matters.

IT IS SO ORDERED.

Dated: _____

THE HONORABLE JILL N. PARRISH
UNITED STATES DISTRICT COURT JUDGE